

JUDGE COTE

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

DONALD ALBRITTON,

Defendant.

INFORMATION

07 CRIM 437

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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FILED
MAY 15 2007

COUNT ONE

The United States Attorney charges:

1. From in or about May 2006, up to and including in or about December 2006, in the Southern District of New York and elsewhere, DONALD ALBRITTON, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other, to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1343.

2. It was a part and an object of the conspiracy that DONALD ALBRITTON, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of

executing such scheme and artifice, in an offense affecting a financial institution, in violation of Title 18, United States Code, Section 1343.

OVERT ACT

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about May 17, 2006, DONALD ALBRITTON, the defendant, withdrew \$9,000 from a Chase Manhattan bank account at a branch located at 450 Third Avenue in Manhattan.

(Title 18, United States Code, Section 1349.)

COUNT TWO

The United States Attorney further charges:

4. From in or about May 2006, up to and including in or about December 2006, in the Southern District of New York and elsewhere, DONALD ALBRITTON, the defendant, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing

such scheme and artifice, in an offense affecting a financial institution, to wit, ALBRITTON participated in a scheme that caused hundreds of thousands of dollars to be wired from accounts at various banks and credit unions outside of the state of New York to various bank accounts inside the state of New York through fraudulent wire transmissions.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATION

5. As the result of committing the offenses in violation of Title 18, United States Code, Section 1349 and 1343, alleged in Counts One and Two of this Information, DONALD ALBRITTON, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to the following:

a. At least \$386,267 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses charged in Counts One and Two of this Information.

Substitute Asset Provision


6. If any of the above-described forfeitable

property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461, and
Title 18, United States Code, Section 1343.)


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

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INFORMATION

07 Cr.

(18 U.S.C. § 1349,
18 U.S.C. §§ 1343 & 2.)

MICHAEL J. GARCIA
United States Attorney.

5/18/07 Waiver of Indictment filed.
(GF) Deft. present w/atty. Neil Checkman.
AUSA Michael Rosensaft Present
Court reporter Steve Greenblum present
Deft. #1 withdraws his not guilty plea and
Pleads guilty as charged in this Information.
PSR not ordered. Govt to get a status letter
to the court on November 2, 2007. Deft.
Continued ROR. Cote, USDT